

Robert Moli, Reg. No. 33,741

U.S. PATENT AND TRADEMARK OFFICE

In re Application of: David Alan Burton et al. Examiner: Unknown

Migration in Snapshot Operations Attorney Docket No. Pillar 711

Application No. 10/600,417

Filing date: June 19, 2003

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Examiner:

This Information Disclosure Statement is submitted:

X under 37 CFR 1.97(b), or
 (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

| | under 37 CFR 1.97(c) together with either: |
|----------|---|
| | a certification under 37 CFR 1.97(e), |
| | Each item of information contained in the information disclosure |
| | statement was first cited in a communication from a foreign |
| | patent office in a counterpart foreign application not more than |
| | three months prior to the filing of the information disclosure |
| | statement, or |
| | a \$180.00 fee under 37 CFR 1.17(p), or |
| | (After the CFR 1.97(b) time period, but before final action or notice of |
| | allowance, whichever occurs first) |
| | under 37 CFR 1.97(d) together with a: |
| | Certification under 37 CFR 1.97(e), and |
| | a petition under 37 CFR 1.97(d)(2)(ii), and |
| | a \$130.00 petition fee set forth in 37 CFR 1.17(i) |
| | (Filed after final action or notice of allowance, whichever occurs first, |
| | but before payment of the issue fee) |
| <u>X</u> | Applicant(s) submit an information disclosure statement and PTO/SB/08A form(s), and/or PTO/SB/08B form(s) |
| <u>X</u> | Applicant(s) submit copies of patents, publications, and/or other |
| infor | mation to be reviewed in examination for which there may be a duty to |
| discl | ose under 37 CFR 1.56, or |
| | Applicant(s) submitted copies of such patents, publications, or other |
| infor | mation in an information disclosure in earlier US Application No, |
| whic | h is relied on for an earlier effective filing date under 35 USC 120 |

Please call if you have a question, comment or it will expedite prosecution.

Respectfully submitted,

Robert Moll

Reg. No. 33,741

1173 St. Charles Court

Los Altos, CA 94024

Tel: 650-567-9153

Fax: 650-567-9183

Email: rgmoll@patentplanet.com



U.S. Application No. 10/600,417, entitled:
Systems and Methods of Data Migration in
Snapshot Operations
Attorney Docket No. Pillar 711
Inventor(s): David Alan Burton et al.
Information Disclosure Statement, Form PTO/SB/08A,
and/or PTO/SB/08B, Reference(s)
Attorney: Robert Moll

PTO/SB/08A (08-03)

Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control nur

Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

| Complete if Known | | | | |
|------------------------|-------------------|---------------------------------------|--|--|
| Application Number | 10/600,417 | | | |
| Filing Date | 06/19/2003 | · · · · · · · · · · · · · · · · · · · | | |
| First Named Inventor | David Alan Burton | | | |
| Art Unit | 2186 | | | |
| Examiner Name | Unknown | | | |
| Attorney Docket Number | Dillor 711 | | | |

| | | | U. S. PATENT | DOCUMENTS | |
|-----------------------|--|--|--------------------------------|--|--|
| Examiner Initials* | No.1 | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear |
| | | US: 0400050 D4 | 10.00.000 | | Figures Appear |
| | ļ | ^{US-} 6490659 B1 | 12-03-2002 | McKean et al. | |
| | | ^{US-} 6487680 B1 | 11-26-2002 | Skazinski et al. | |
| | <u> </u> | ^{US-} 6480969 B1 | 11-12-2002 | Hitz et al. | |
| | | ^{US-} 6460122 B1 | 10-01-2002 | Otterness et al. | |
| | | ^{US-} 6434681 B1 | 08-13-2002 | Armangau | |
| | | ^{US-} 6425051 B1 | 07-23-2002 | Burton et al. | |
| | | ^{US-} 6393535 B1 | 05-21-2002 | Burton et al. | |
| | | ^{US-} 6247099 B1 | 06-12-2001 | Skazinski et al. | |
| | | ^{US-} 6182198 B1 | 01-30-2001 | Hubis et al. | |
| | | ^{US-} 6014730 | 01-11-2000 | Ohtsu | |
| | | ^{US-} 5948110 | 09-07-1999 | Hitz et al. | |
| | | ^{US-} 5930481 | 07-27-1999 | Benhase et al. | |
| | | ^{US-} 5819292 | 10-06-1998 | Hitz et al. | |
| | | US- 5778430 | 07-07-1998 | ish et al. | |
| | | us- 5774682 | 06-30-1998 | Benhase et al. | |
| | | ^{US-} 5581743 | 12-03-1996 | Burton et al. | |
| | | ^{US-} 5539915 | 07-23-1996 | Burton et al. | |
| | | ^{US-} 5535372 | 07-09-1996 | Benhase et al. | |
| | | ^{US-} 5499354 | 03-12-1996 | Aschoff et al. | |

| | | FORE | IGN PATENT DOCU | MENTS | | |
|-----------------------|--------------|--|-----------------------------|--|---|--------|
| Examiner Initials* | Cite No.1 | te Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | \Box |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (# known) | | | | T⁵ |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | . | | | |
| | | | | | | L |
| | | | | | | |

| Examiner | Date | |
|-----------|------------|--|
| | Date | |
| Signature | Considered | |
| • | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ader the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet 2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| Complete if Known | | | |
|------------------------|-------------------|--|--|
| Application Number | 10/600,417 | | |
| Filing Date | 06/19/2003 | ······································ | |
| First Named Inventor | David Alan Burton | | |
| Art Unit | 2186 | | |
| Examiner Name | Unknown | | |
| Attorney Docket Number | Pillar 711 | | |

| | , | | | DOCUMENTS | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (F known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | ^{US-} 5379391 | 01-03-1995 | Belsan et al. | |
| | | ^{US-} 2002/0156987 A1 | 10-24-2002 | Gajjar et al. | |
| | | ^{US-} 2002/0053009 A1 | 05-02-2002 | Selkirk et al. | |
| | | ^{US-} 2002/0029281 A1 | 03-07-2002 | Zeidner et al. | |
| | | ^{US-} 2001/0049779 A1 | 12-06-2001 | Shimada et al. | |
| | | US- | | | |
| | | US- | * | | |
| | | US- | 1 | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | - | | |

| | FOREIC | SN PATENT DOCU | MENTS | | |
|--------------|---|-----------------------------|---|---|--|
| Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | T P P P P P P P P P P P P P P P P P P P | Or Relevant Figures Appear | T⁵ |
| | | | | | |
| | | | | | |
| | | | | | L |
| | | | | | _ |
| | | | | | _ |
| | | No. Foreign Patent Document | Cite Foreign Patent Document Publication No. Publication Date Publication | No.1 Date Applicant of Cited Document | Cite Foreign Patent Document Publication Name of Patentee or Applicant of Cited Document Where Relevant Passages |

| Examiner | Date | |
|-----------|------------|--|
| Signature | | |
| Oignature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁸Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.